



1642

S/N 09/901,812

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

|             |  |                 |               |
|-------------|--|-----------------|---------------|
| Applicant:  | PENNICA ET AL.                                       | Examiner:       | S. RAWLINGS   |
| Serial No.: | 09/901,812   | Group Art Unit: | 1642          |
| Filed:      | JULY 10, 2001  | Docket No.:     | 11669.164USU1 |
| Title:      | METHODS FOR ENHANCING THE EFFICACY OF CANCER THERAPY |                 |               |

CERTIFICATE UNDER 37 CFR 1.8:

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Commissioner for Patents, Mail Stop Amendment, P.O. Box 1450, Alexandria, VA 22313-1450 on October 20, 2004.

By: 

Name: KATE CANNON

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT (37 C.F.R. § 1.97(c))

Mail Stop Amendment

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Dear Sir:

With regard to the above-identified application, the items of information listed on the enclosed Form 1449 are brought to the attention of the Examiner.

This statement should be considered because it is submitted after the mailing date of a first Office Action on-the-merits or a first Office Action after filing a Request for Continued Examination under 37 C.F.R. § 1.114 or a CPA under 37 C.F.R. § 1.53(d), but before the mailing date of: i) a final action under 37 C.F.R. § 1.113; ii) a Notice of Allowance under 37 C.F.R. § 1.311; or iii) an action that otherwise closes prosecution on the application. Enclosed is a check in the amount of \$180.00 under 37 C.F.R. § 1.17(p) for consideration of the items listed on the enclosed Form 1449.

In accordance with 37 C.F.R. § 1.98(a)(2), a copy of each document or other information listed on the enclosed Form 1449 is provided.

No representation is made that a reference is "prior art" within the meaning of 35 U.S.C. §§ 102 and 103 and Applicants reserve the right, pursuant to 37 C.F.R. § 1.131 or otherwise, to establish that the reference(s) are not "prior art." Moreover, Applicants do not represent that a

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reference has been thoroughly reviewed or that any relevance of any portion of a reference is intended.

Consideration of the items listed is respectfully requested. Pursuant to the provisions of M.P.E.P. 609, it is requested that the Examiner return a copy of the attached Form 1449, marked as being considered and initialed by the Examiner, to the undersigned with the next official communication.

Please charge any additional fees or credit any overpayment to Deposit Account No. 13-2725.

Respectfully submitted,

MERCHANT & GOULD P.C.  
P. O. Box 2903  
Minneapolis, Minnesota 55402-0903  
612.332.5300

Date

Oct 20, 2004

Anne M. Murphy  
Anne M. Murphy  
Reg. No. 54,327  
AMM:PLSklg

**23552**

PATENT TRADEMARK OFFICE



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

|                   |  |                 |               |
|-------------------|--|-----------------|---------------|
| Applicant:        | PENNICA ET AL.                                       | Examiner:       | S. RAWLINGS   |
| Serial No.:       | 09/901,812   | Group Art Unit: | 1642          |
| Filed:            | JULY 10, 2001  | Docket:         | 11669.164USU1 |
| Confirmation No.: | 7879   |                 |               |
| Title:            | METHODS FOR ENHANCING THE EFFICACY OF CANCER THERAPY |                 |               |

CERTIFICATE UNDER 37 CFR 1.8:

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on October 20, 2004.

By: 

Name: KATE GANNON

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**23552**

PATENT TRADEMARK OFFICE

Sir:

We are transmitting herewith the attached:

- ☒ Transmittal Sheet in duplicate containing Certificate of Mailing
- ☒ Supplemental Information Disclosure Statement, Form 1449, 12 Reference(s), and fee of \$180.00
- ☒ Return postcard

Please consider this a PETITION FOR EXTENSION OF TIME for a sufficient number of months to enter these papers or any future reply, if appropriate. Please charge any additional fees or credit overpayment to Deposit Account No. 13-2725. A duplicate of this sheet is enclosed.

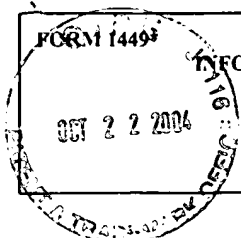
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P.O. Box 2903, Minneapolis, MN 55402-0903  
612.332.5300

By: 

Name: Anne M. Murphy

Reg. No.: 54,327

AMurphy:PLSklg

|  |   |  |                                 |                                   |
|--|---|--|---------------------------------|-----------------------------------|
|  | <b>INFORMATION DISCLOSURE STATEMENT</b> |  | Docket Number:<br>11669.164USU1 | Application Number:<br>09/901,812 |
|  | <b>IN AN APPLICATION</b>                |  | Applicant: PENNICA ET AL.       |                                   |
|  | (Use several sheets if necessary)       |  | Filing Date: July 10, 2001      | Group Art Unit: 1642              |

| U.S. PATENT DOCUMENTS  |                |   |                 |       |          |                            |    |
|--|----------------|---|-----------------|-------|----------|----------------------------|----|
| EXAMINER INITIAL   | DOCUMENT NO.   | DATE  | NAME            | CLASS | SUBCLASS | FILING DATE IF APPROPRIATE |    |
|  | 5,871,697      | 02/16/1999  | Rothberg et al. |       |          |                            |    |
|  |                |   |                 |       |          |                            |    |
| FOREIGN PATENT DOCUMENTS   |                |   |                 |       |          |                            |    |
|  | DOCUMENT NO.   | DATE  | COUNTRY         | CLASS | SUBCLASS | TRANSLATION                |    |
|  |                |   |                 |       |          | YES                        | NO |
|  | WO 98/54963    | 12/10/1998  | PCT             |       |          |                            |    |
|  | WO 01/12660 A2 | 02/22/2001  | PCT             |       |          |                            |    |
|  | WO 01/51635 A2 | 07/19/2001  | PCT             |       |          |                            |    |
|  | WO 01/93983 A1 | 12/2001   | PCT             |       |          |                            |    |
|  | WO 02/18608 A2 | 03/2002   | PCT             |       |          |                            |    |
|  |                |   |                 |       |          |                            |    |
| OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.) |                |   |                 |       |          |                            |    |
|  |                | Database EMBL 'Online!' Entry/Acc.No. AI684707 28 May, 1999 STRAUSBERG R.: "wa85B10.x1 Soares_NFL_T_GBC_S1 Homo Sapiens cDNA clone image:2302939 3'. mRNA sequence." XP002174857                                      |                 |       |          |                            |    |
|  |                | Database EMBL 'Online!' Entry/Acc.No. AI7601070 30 June, 1999 STRAUSBERG R.: "wg58f06.X1 Soares_NSF_F8_9W_OT_PA_P_S1 Homo Sapiens cDNA clone image:2369315 3'. mRNA sequence." XP002174858                            |                 |       |          |                            |    |
|  |                | Brown et al., "A retrovirus vector expressing the putative mammary oncogene int-1 causes partial transformation of a mammary epithelial cell line", <u>Cell</u> , 46:1001-1009 (September 26, 1986)                   |                 |       |          |                            |    |
|  |                | Diatchenko et al., "Suppression subtractive hybridization: a method for generating differentially regulated or tissue-specific cDNA probes and libraries", <u>Proc. Natl. Acad. Sci. USA</u> , 93:6025-30 (June 1996) |                 |       |          |                            |    |
|  |                | Heid et al., "Real time quantitative PCR", <u>Genome Res.</u> , 6:986-94 (October 1996)   |                 |       |          |                            |    |
|  |                | Shimkets et al., "Gene expression analysis by transcript profiling coupled to a gene database query", <u>Nat Biotechnol.</u> , 17:798-803 (August 1999)   |                 |       |          |                            |    |
|  |                |   |                 |       |          |                            |    |
|  |                |   |                 |       |          |                            |    |

|   |                 |
|---|-----------------|
| EXAMINER  | DATE CONSIDERED |
| EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form for next communication to the Applicant. |                 |